

**KENTUCKY BOARD OF HOME INSPECTORS
MEETING MINUTES
March 8, 2016**

A regular meeting of the Kentucky Board of Home Inspectors was held at the Office of Occupations and Professions in Frankfort, KY on March 8, 2016.

MEMBERS PRESENT

Mark G. Oerther, Chairman
Robert P. Johnson, Vice Chairman
Welford "Bud" Wenk
Edward "Neal" Tong
Mitch D. Buchanan
Ken Fister
James A. Chandler

MEMBERS ABSENT

Mariah Gratz, Citizen at Large

OCCUPATIONS AND PROFESSIONS STAFF

Larry Brown, Executive Director
Robin Vick, Administrative Section Supervisor
Megan Woodson, Board Administrator

OFFICE OF THE ATTORNEY GENERAL

Brian Judy, Office of the Attorney General

GUESTS

Brian O'Rear
Steve Keeney

A meeting of the Kentucky Board of Home Inspectors, Complaint Committee, was called to order at 9:45 a.m., Tuesday, March 8, 2016 at the Office of Occupations and Professions in Frankfort, KY. A motion was made by Mr. Oerther to go into closed session for the Complaint Screening Committee per KRS 61.810 (1)(c), seconded by Mr. Chandler. A motion was made by Mr. Oerther to come out of closed session, seconded by Mr. Chandler. The committee meeting adjourned at 10:40 a.m.

CALL TO ORDER

Mr. Oerther called the meeting to order at 10:45 a.m.

MINUTES

A motion was made by Mr. Fister to approve the meeting minutes from February 9, 2016. Mr. Buchanan seconded that motion and it carried. A motion was made by Mr. Chandler to approve the meeting minutes from February 18, 2016. Mr. Buchanan seconded that motion and it carried.

MONTHLY FINANCIAL REPORT

The financial statement for February 2016 was reviewed by the Board.

LICENSURE STATUS REPORT

There are currently 400 licensed Home Inspectors.

BOARD CHAIRMAN'S REPORT

No Report

BOARD COUNSEL REPORT

Mr. Judy, along with the Board, discussed the written comments received on the amendments to 815 KAR 6:010, 815 KAR 6:040, 815 KAR 6:080, 815 KAR 6:090.

Mr. Buchanan made a motion to eliminate 815 KAR 6:010 Section 1(10)(b) which requires an applicant to submit a state-wide criminal history check from the state where the applicant previously resided. Mr. Fister seconded the motion. There were four members opposed and one member in favor. The motion was lost.

Mr. Fister made a motion to remove 815 KAR 6:010 Section 1(6)(b) which states “(b) An applicant who fails to pass the examination three (3) or more times shall wait at least thirty (30) calendar days from the date of the third or subsequent failed examination prior to retaking the examination. Mr. Buchanan seconded the motion and it carried.

Mr. Chandler made a motion to amend 816 KAR 6:010 Section 1(8)(a)(2) to narrow down KRS Chapter 198B. Mr. Johnson seconded the motion and it carried.

Mr. Wenk made a motion to change the required number of continuing education hours regarding manufactured housing from three (3) hours to two (2) in 815 KAR 6:010 Section 8(1)(a). Mr. Fister seconded the motion and it carried.

Mr. Tong made a motion to amend 815 KAR 6:010 Section 1 to narrow down KRS Chapter 198B. Mr. Chandler seconded the motion and it carried.

Mr. Buchanan made a motion to add “or continuing education provider” after “pre-licensing course provider” in 815 KAR 6:090 Section 4. Mr. Chandler seconded the motion and it carried.

Mr. Johnson made a motion to replace “appeal” with “administrative hearing” in 815 KAR 6:090. Mr. Fister seconded the motion. There was one member opposed. The motion carried.

Mr. Chandler made a motion to delegate authority to review and approve changes to the Statement of Consideration to Mr. Buchanan. Mr. Wenk seconded the motion and it carried.

OCCUPATIONS AND PROFESSIONS REPORT

No March report from Occupations and Professions.

OLD BUSINESS

The Board is working on building relationships with the Department of Housing, Building, and Construction for the possibility of moving to their office in the future.

Mr. Chandler made a motion to continue working toward having a booth at the Kentucky State Fair but for the year of 2017 instead of 2016 to allow the funds needed to be included in future budgets.

The Board received no complete bids for the RFP posted for an Investigator. The Board will continue to work with Deputy Secretary Russell for the possibility of a MOA for using the investigator at the Department of Housing, Building, and Construction.

NEW BUSINESS

The Board discussed estimates received from the Office of Creative Services for the possibility of recording a statewide public service announcement. Mr. Johnson will draft a statement for the Board to review.

The Board discussed giving Licensees the option to be issued a new license number if they were previously issued a number with the sequence of “BHIHN00-----”. The formatting has since been changed to “HI--” in the O&P database as of February 2015. This would help to create a more consistent license number pattern for the public to identify licensed individuals. Mr. Wenk made a motion to allow qualified licensees to

have the option to be reissued a new license number. Mr. Johnson seconded the motion and it carried. Mrs. Woodson will send a letter to all Licensees who qualify for this change.

The Board reviewed the inquiry from Michael Cope, License#: HI4248, asking about using the Board's logo on his website. The Board advised usage of the Board's logo is not prohibited, but the Board does not send out copies of the logo. Mrs. Woodson will respond to Mr. Cope.

The Board reviewed the OnCourse Learning inquiry regarding students re-taking their pre-licensing exam. The Board advised that all exams are to be taken in a class room setting. Mrs. Woodson will respond to OnCourse Learning.

The Board discussed letters received from the Department of Revenue (DOR) regarding delinquent taxpayers who also currently hold a home inspector license. The letters received request that home inspector licenses of delinquent taxpayers be revoked, suspended, or not renewed under the provisions of KRS 131.1817(5)(d). Mr. Buchanan made a motion for Mr. Judy to send a letter to the DOR requesting that a due process/hearing regulation be written so that the Board can enforce their request. Mr. Chandler seconded the motion and it carried.

The Board discussed scenarios where unlicensed individuals work for a home inspection company and assist with inspections. The discussion included the need for the Board to clarify or define "engage in or work" located in KRS 198B.712 (2). The Board will continue to discuss and develop this definition for the purposes of adding it to their regulations.

NEWSLETTER COMMITTEE REPORT

The Newsletter Committee discussed content for the upcoming quarterly newsletter including reminders regarding the renewal process and updates on the Board's recent initiatives. The committee is continuing to develop the next newsletter.

EDUCATION COMMITTEE REPORT

The Education Committee made the following recommendations:

- OnCourse Real Estate, Inc. DBA American Home Inspectors Training (AHIT) ***approved*** as a continuing education provider.

Mr. Chandler seconded the motion and the motion carried.

APPLICATIONS COMMITTEE

The Applications Committee recommended the following:

- **Initial licensure applications to be *approved*:**
 - Anderson, Douglas D.
 - Hubbs, Terry L.
 - Olberding, Lance F.
 - Schumacher, Matthew L.

Mr. Chandler seconded the motion and the motion carried.

- **Renewal applications to be *approved*:**
 - Adams, Jeffrey D.
 - Atwell, Hollis M.
 - Baumann, David T.
 - Bensman, Joseph C.

- Blitz, Thomas W.
- Brady, Daniel C.
- Chirafisi, Christopher C.
- Cooper, William F.
- Crepps, Joshua N.
- Davis, James T.
- Edge, Steven W.
- Fifield, Timothy L.
- Ford, Robert D.
- Francis, William A.
- Goad, John W.
- Hill, Walter E.
- Jackson, Stephen J.
- Klein, Mark E.
- Kline, John D.
- Konstans, Chris T.
- Lawson, John D.
- Pruitt, Stephen B.
- Race, Michael W.
- Schwartz, Paul R.
- Snyder, Andrew M.
- Troutman, William C.
- Wiard, Lee C.
- Wirth, Michael J.

Mr. Fister seconded the motion and the motion carried.

COMPLAINTS COMMITTEE

- 2015-03 - A motion was made by Mr. Fister to go into executive session pursuant to KRS 61.810 (1). The motion was seconded by Mr. Tong and it carried. A motion was made by Mr. Wenk to come out of closed session, seconded by Mr. Chandler.

The Complaints Committee reported the following cases are ongoing:

- 2015-03
- 2015-06
- 2015-08

TRAVEL AND PER DIEM

Mr. Fister made a motion to approve the travel and per diem for members attending today's meeting. The motion, seconded by Mr. Chandler, carried.

NEXT MEETING

The next meeting is scheduled for Tuesday, April 12, 2016 at 10:00am at the Office of Occupations and Professions in Frankfort, KY.

ADJOURNMENT

Mr. Wenk made a motion to adjourn at 2:13p.m. The motion was seconded by Mr. Fister and carried.

Minutes prepared by Megan Woodson on March 9, 2016.